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# NASA Policy Directive

**NPD 9800.1B**

Effective Date: June 09, 2009

Expiration Date: June 09, 2014

**COMPLIANCE IS MANDATORY**[Printable Format \(PDF\)](#)

Request Notification of Change

(NASA Only)

## **Subject: NASA Office of Inspector General Programs**

**Responsible Office: Office of the Inspector General**

### **1. POLICY**

#### **a. GENERAL**

It is NASA policy to abide by the requirements established for the Agency under the Inspector General Act (IG Act) and to otherwise cooperate with the Office of Inspector General (OIG) in the performance of its statutory duties.

#### **b. OIG PROGRAMS**

The OIG conducts independent and objective audits and investigations and other evaluations of Agency programs and operations; promotes economy, effectiveness, and efficiency within the Agency; prevents and detects crimes, fraud, waste, and abuse; reviews and makes recommendations regarding existing and proposed legislation and regulations; and keeps the NASA Administrator and Congress fully and currently informed of problems in Agency programs and operations. The overall responsibilities of the office are detailed further in NPD 1000.3.

#### **(1) AUDITS**

The OIG, through financial and performance audits and other reviews, examines NASA activities, programs, operations, and organizations. The OIG focuses on whether programs are organized, managed, and implemented economically, effectively, and efficiently; funds are expended in a manner consistent with laws, regulations, and policies; desired program results are achieved; and management controls are in place to prevent crimes, fraud, waste, abuse, mismanagement, and misconduct. The OIG performs annual independent evaluations of NASA's information technology security program and practices under the Federal Information Security Management Act.

#### **(2) INVESTIGATIONS (Criminal, Civil, and Administrative)**

The OIG conducts an investigations program to detect and deter crimes, fraud, waste, abuse, and mismanagement.

### (3) COUNSEL

The OIG legal staff provides advice and assistance on a variety of legal issues and matters relating to the OIG's review of Agency programs and operations, and relating to internal operations of the OIG.

### (4) OTHER PROGRAMS

The OIG will establish and staff other programs, as necessary, to carry out the functions, powers, and duties of the office.

## c. ACCESS TO RECORDS, DOCUMENTS, PERSONNEL, PREMISES

It is NASA policy that all NASA employees, organizations, contractors, grantees, programs, partners, and those receiving NASA funds cooperate fully with the OIG and its designees. During audits, investigations, reviews, or other activities, such cooperation includes providing:

- (1) Complete, prompt, and free access to all files (electronic and paper), documents, premises, and employees, except as limited by law, including access to records, premises, and employees through any access provision governing NASA's arrangements with third parties (e.g., contract access clauses).
- (2) Statements, both oral and written, including statements under oath or affirmation.
- (3) Technical consultation, examination, and assistance regarding information or evidence being collected or developed.
- (4) Such other information and assistance as may be requested in order to complete the OIG activity.

## d. LAW ENFORCEMENT AUTHORITY

The Inspector General, the Assistant Inspector General for Investigations, and NASA OIG Special Agents supervised by the Assistant Inspector General for Investigations may, as provided for and under the conditions of the IG Act or other statute, and of the Attorney General:

- (1) Carry a firearm.
- (2) Make an arrest without a warrant for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the United States if such individual has reasonable grounds to believe that the person to be arrested has committed or is committing such felony.
- (3) Seek and execute warrants for arrest, searches of premises, or seizures of evidence issued under the authority of the United States upon probable cause to believe that a violation has been committed.

## 2. APPLICABILITY

2.1 This NPD is applicable to all NASA programs and activities at NASA Headquarters and Centers, including Component Facilities and Technical and Service Support

Centers. This language applies to the Jet Propulsion Laboratory, other contractors, grant recipients, or parties to agreements only to the extent specified or referenced in the appropriate contracts, grants, or agreements.

2.2. Pursuant to the IG Act, other applicable laws, Executive Orders, and Federal regulations, NASA OIG authority extends to contractor facilities, the facilities of any other entity receiving NASA funds, and to any other NASA-related entity.

### **3. AUTHORITY**

a. 42 U.S.C. 2473(c)(1), section 203(c)(1) of the National Aeronautics and Space Act of 1958, as amended ("Space Act").

b. Inspector General Act of 1978, as amended, Title 5 U.S.C. App. III.

### **4. APPLICABLE DOCUMENTS**

a. 44 U.S.C. 3535, Federal Information Security Act of 2002.

b. Close the Contractor Fraud Loophole Act, Pub. Law 110-252, Title VI, Chapter 6.

c. FAR 3.1003, Contractor Code of Business Ethics and Conduct.

d. NPD 1000.3, The NASA Organization.

### **5. RESPONSIBILITY**

a. Inspector General (IG)

(1) The IG has a statutory mandate to promote economy, efficiency, and effectiveness in the administration of NASA programs and operations and to prevent and detect fraud, waste, abuse, and mismanagement in such programs and operations. Pursuant to the IG Act, the IG provides policy and direction for, and conducts, supervises, and coordinates audits, investigations, and other reviews as necessary relating to the programs and operations of NASA. No NASA official, including the Administrator, may prevent or prohibit the IG from initiating, carrying out, or completing any audit or investigation, or from issuing any subpoena.

(2) The IG Act established investigative jurisdiction for the offices of Presidentially appointed Inspectors General with respect to crimes and other violations of law at or relating to their respective agencies. Accordingly, the OIG is NASA's focal point for investigating and coordinating with the U.S. Department of Justice on violations of Federal criminal and civil statutes, including violations of Federal criminal and civil statutes related to cyber-related crime, to include computer system intrusions. The IG, or designee, is also NASA's focal point for referrals of violations of State and local laws, to State, county, and local investigative, prosecutive, and law enforcement authorities.

b. The Deputy Inspector General (DIG) serves as the alternate to the Inspector General and participates fully in the direction and development of the diverse audit, investigative, legal, and management functions of the OIG.

c. Assistant Inspector General for Auditing (AIGA). The AIGA develops, implements, and manages the OIG auditing activities under the policy, direction, and supervision of the IG/DIG. Auditing activities are conducted in accordance with Government auditing

standards as prescribed by the Comptroller General of the United States.

d. Assistant Inspector General for Investigations (AIGI). The AIGI performs all appropriate investigative functions under the policy, direction, and supervision of the IG/DIG and maintains records on all allegations and their resolution, regardless of whether the individual complaint results in an investigation by the OIG.

e. Counsel to the Inspector General. The Counsel is responsible for review and coordination of all legal matters pertinent to the OIG and performs such other functions as the IG/DIG may prescribe. The Counsel also acts as the Deputy Ethics Official for the OIG through delegation from the NASA Office of General Counsel.

f. Other Assistant Inspectors General (AIG). Any other AIGs appointed by the IG shall develop, implement, and manage their programs under the policy, direction, and supervision of the IG/DIG.

g. Executive Officer. The Executive Officer serves as the OIG liaison to Congress and other Government entities, conducts OIG outreach both inside and outside NASA, manages special projects, and performs such other functions as the IG/DIG may prescribe.

h. Director, Acquisition Integrity Program (AIP). The Director of the AIP is responsible for ensuring appropriate coordination with the OIG regarding the Agency's interest in coordination of remedies involving Agency contractors and others whose activities have resulted in fraud, waste, and abuse. The Director, AIP, ensures that allegations of fraud, waste, and abuse, brought to the attention of the AIP, are timely reported to the OIG.

i. NASA Managers. NASA managers shall:

(1) Ensure that all allegations of violations of Federal criminal and civil law and all allegations pertaining to other crimes, fraud, waste, abuse, and mismanagement received by management are reported to the IG and that NASA Headquarters, Centers and Component Facilities, contractor facilities, the facilities of any other entity receiving NASA funds, or any other NASA-related entity fully cooperate in the conduct of audits, investigations, reviews, and other OIG activity.

(2) Participate in the timely resolution and disposition of recommendations for corrective action or management improvement made by the OIG and promptly advising the IG of the actions taken on each recommendation.

(3) Ensure that employees, organizations, and programs receiving NASA funds fully cooperate in the conduct of audits, investigations, reviews, and other OIG activity.

(4) Maintain an effective audit follow-up system.

(5) Transmit to the OIG information for reports to Congress required to be prepared by the IG. Such reports are transmitted by the Administrator to the Congress.

(6) Provide adequate equipment and support, including office space at NASA Headquarters and NASA Centers, including Component Facilities, locations, and necessary maintenance services for equipment and offices provided.

j. NASA Contracting Officers. As set forth in the Close the Contractor Fraud Loophole Act and FAR 3.1003, NASA Contracting Officers shall report to the OIG any significant overpayment to a contractor. NASA Contracting Officers shall also report to the OIG whenever they are notified of possible contractor violation of Federal criminal law

involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 U.S.C.; or a violation of the civil False Claims Act.

k. NASA Employees. Any NASA employee who observes crime, fraud, waste, abuse, or mismanagement or receives an allegation of crime, fraud, waste, abuse, or mismanagement from a Federal employee, contractor, grantee, contractor or grantee employee, or any other source will report such observation or allegation to the OIG. An employee may make such a report personally by contacting any OIG employee; calling the OIG Hotline (1-800- 424-9183), which has been established specifically for receiving confidential reports; by mailing to the NASA Inspector General, P.O. Box 23089, L'Enfant Plaza Station, Washington, DC 20026; or by sending a message to the NASA OIG Cyber Hotline at: <http://www.hq.nasa.gov/office/oig/hq/hotline.html>. In order to ensure free and unimpeded access to the OIG, an employee may ask for confidentiality, which will be provided under the terms of the IG Act. Employees are not required to report their contacts with the OIG to their supervisors.

## **6. DELEGATION OF AUTHORITY**

None.

## **7. MEASUREMENTS**

The OIG's semiannual report, mandated by the IG Act, requires reporting on the success of all OIG programs and activities. The semiannual report includes measurement of results in areas specified in the IG Act. The OIG annually publishes a Strategic Plan Results Report, which serves to measure OIG activities and to ensure the efficient and effective management of resources.

## **8. CANCELLATION**

NPD 9800.1A, dated April 7, 2004.

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**/s/Christopher J. Scolese**  
**Acting Administrator**

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## **ATTACHMENT A: (TEXT)**

### **ADDITIONAL REFERENCES**

- a. 10 U.S.C. 2409, Contractor employees: protection from reprisal for disclosure of certain information.
- b. 41 U.S.C. 57-58, Anti-Kickback Act of 1986.
- c. NPD 1200.1, NASA Internal Control.
- d. NPD 2086.1, Coordination of Remedies for Fraud and Corruption Related to NASA Acquisition Activities.

- e. NPD 9910.1, Government Accountability Office/NASA Office of Inspector General Audit Liaison, Resolution, and Followup.
- f. Memorandum of Understanding Between the Federal Bureau of Investigation and the Office of Inspector General, National Aeronautics and Space Administration, dated April 16, 1982.
- g. Memorandum from the General Counsel to the Deputy Administrator, Subject: Roles and Responsibilities of NASA's Office of Inspector General (OIG) and Office of Security and Program Protection, December 10, 2003.
- h. Attorney General Guidelines for Inspector General Offices with Statutory Law Enforcement Authority, December 8, 2003.

**(URL for Graphic)**

None.

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